

Judge Robert J. Bryan

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

NO. CR14-5394 RJB

## **ORDER CONTINUING TRIAL DATE**

V.

JESUS ENRIQUE PALOMERA,

## Defendant.

The Court, having reviewed Defendant Jesus Enrique Palomera's unopposed Motion to Continue Trial, makes the following findings of fact and conclusions of law:

1. The trial in *United States v. Palomera* is set for August 22, 2016.

2. This appears to be a complex case that will require significant pretrial

investigation and preparation. The Superseding Indictment charges 17 counts, including two separate conspiracies and a Continuing Criminal Enterprise charge, which carries a mandatory minimum sentence of twenty years of imprisonment. The Defendant has been under investigation since 2011 and the alleged enterprise operated in various jurisdictions, including Washington, Oregon, and California. The Defendant was arrested in Mexico and extradited to the United States. The parties agree that the discovery will be voluminous.

1       3. Based on the above, the Court finds that the defense is entitled to additional  
2 time for investigation and preparation.

3       4. Accordingly, the Court finds that the ends of justice served by granting this  
4 continuance outweigh the best interests of the public and the defendants in a speedy trial.  
5 18 U.S.C. § 3161(h)(7)(A).

6       5. Proceeding to trial absent adequate time for the defense to prepare would result  
7 in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i). The defense needs additional  
8 time to explore relevant issues and defenses applicable to the case, which would make it  
9 unreasonable to expect adequate preparation for pretrial proceedings or for trial itself  
10 within the time limits established by the Speedy Trial Act and currently set for this case.  
11 18 U.S.C. § 3161(h)(7)(B)(ii).

12       6. Taking into account the exercise of due diligence, a continuance is necessary  
13 to allow for preparation of the defense and the other reasons set forth above.  
14 18 U.S.C. § 3161(h)(7)(B)(iv).

15       7. Accordingly, the Court ORDERS that the trial shall be continued to January 17,  
16 2017 . The resulting period of delay from the original trial date of August 22, 2016, up to  
17 and including the new trial date of January 17, 2017, is hereby excluded for speedy trial  
18 purposes under 18 U.S.C. § 3161(h)(7)(A) and (B). Pre-trial motions are due no later  
19 than December 29, 2016. The pre-trial conference shall be on

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1 January 6, 2017, at 8:30 am.

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3 DATED this 22<sup>nd</sup> day of July, 2016

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6 ROBERT J. BRYAN  
7 United States District Judge

8

9 Presented by:

10

11 /s/ Michael Dion

12 MICHAEL DION  
13 Assistant United States Attorney